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PATENT
ATTORNEY DOCKET NO. 056297-5010-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martin J. GOLDBERG *et al.*

Application No.: 09/776,770

Filed: February 6, 2001

For: METHODS AND COMPOSITIONS FOR
AMPLIFYING DETECTABLE SIGNALS IN
SPECIFIC BINDING ASSAYS

Assistant Commissioner of Patents
Washington, D.C. 20231

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Sir:

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated October 28, 2002, rejecting the following claims 1-27.

1. Extension of Time

[X] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
[X] three months	\$ 930.00	\$465.00

[X] The Commissioner is authorized to charge the extension fee of \$930.00 to Deposit Account No. 50-0310.

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01 FC:1401 320.00 CH
02 FC:1253 930.00 CH

2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

[X] The Commissioner is authorized to charge the appeal fee of \$320.00 to Deposit Account No. 50-0310.

3. Constructive Petition

[X] **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: April 28, 2003

By: Michael S. Tuscan

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